

(1)

GAB

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

LED IN OPEN COURT
MAY 24 2023
CHARLES R. DIARD, JR
CLERK

UNITED STATES OF AMERICA

v.

OTIS SANDERS, JR.,

aka "O",

DANTE EDGAR FLORES,
aka BUENO,

MARKELL DURRELL MOORE,
ZIKEYOUS ANTHONY NELSON,

CRYSTAL HALI ORR,

MAURICE MARCELL CARTER,
aka OJ,

QUENTON JAMES FRANKLIN,

HARDY DEVAN FORREST,

aka HARDY TOLBERT,
aka CHICO, aka DUDE,

RUSTY CHASE SMITH,

ERIC MAURICE MOSELEY,

MELVIN DONALD KIDD,

JEFFREY RYAN CLARK,

MORRIS WAYNE MYRICK,

RICHARD DEWISE,

JASON DUANE REYNOLDS,
aka J-ROCK, and

BRYAN DION CAMPBELL

* CRIM. NO. 23-111-KD

* USAO NO. 21R00605

* OCDETF NO. SE-ALS-0125

* VIOLATIONS: 21 USC § 846

* 21 USC § 841(a)(1)

* 18 USC § 922(g)(1)

* 18 USC § 924(c)(1)(A)

INDICTMENT

THE GRAND JURY CHARGES:

Count One

Conspiracy to Possess with Intent to Distribute Methamphetamine

Title 21, United States Code, Section 846

From in or about early 2020, continuing through on or about May 4, 2023, in the
Southern District of Alabama, Southern Division, and elsewhere, the defendants,

OTIS SANDERS, JR.,

aka "O",
DANTE EDGAR FLORES,
aka BUENO,
MARKELL DURRELL MOORE,
ZIKEYOUS ANTHONY NELSON,
CRYSTAL HALI ORR,
MAURICE DURRELL CARTER,
aka OJ,
QUENTON JAMES FRANKLIN,
HARDY DEVAN FORREST,
aka HARDY TOLBERT,
aka CHICO, aka DUDE,
RUSTY CHASE SMITH,
ERIC MAURICE MOSELEY,
MELVIN DONALD KIDD,
JEFFREY RYAN CLARK,
MORRIS WAYNE MYRICK,
RICHARD DEWISE,
JASON DUANE REYNOLDS,
aka J-ROCK, and
BRYAN DION CAMPBELL

did knowingly and intentionally combine, conspire, confederate and agree together with each other and with other persons known and unknown to the Grand Jury, to possess with intent to distribute controlled substances, to-wit, more than 50 grams of methamphetamine (actual), a Schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

In violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2.

The amount of methamphetamine (actual) reasonably attributable to each defendant and for which each defendant is reasonably accountable exceeds 50 grams; therefore, the defendants are subject to the penalty provisions of Title 21, United States Code, Section 841(b)(1)(A).

Count Two
Title 21, United States Code, Section 841(a)(1)
Possession with Intent to Distribute Cocaine

On or about January 8, 2021, in the Southern District of Alabama, Southern Division, the

defendants,

**OTIS SANDERS, JR., and
HARDY DEVAN FORREST,
aka HARDY TOLBERT,**

did knowingly and intentionally possess with intent to distribute approximately 283.15 grams of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Count Three
Title 21, United States Code, Section 841(a)(1)
Possession with Intent to Distribute Methamphetamine

On or about January 8, 2021, in the Southern District of Alabama, Southern Division, the defendants,

**OTIS SANDERS, JR., and
HARDY DEVAN FORREST,
aka HARDY TOLBERT,
aka CHICO, aka DUDE,**

did knowingly and intentionally possess with intent to distribute approximately 660.23 grams of methamphetamine actual, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

The amount of methamphetamine actual involved in the offense exceeds 50 grams; therefore, the defendants are subject to the penalty provisions of Title 21, United States Code, Section 841(b)(1)(A).

Count Four
Title 18, United States Code, Section 924(c)(1)(A)
Possession of a Firearm in Relation to a Drug Trafficking Felony

On or about January 8, 2021, in the Southern District of Alabama, Southern Division, the defendant,

**OTIS SANDERS, JR., and
HARDY DEVAN FORREST,
aka HARDY TOLBERT,**

during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, namely, possession with intent to distribute controlled substances, as charged in Counts One and Two hereinabove, did knowingly use and carry a firearm, namely, a Glock, Model 43 9X19 caliber pistol, serial number ADXV674, and a Windham Weaponry, Model WW-CF, multiple caliber rifle, serial number CF010411; and in furtherance of the said drug trafficking crime, possession with intent to distribute controlled substances, as charged in Counts One and Two hereinabove, did knowingly possess a firearm, namely, a Glock, Model 43 9X19 caliber pistol, serial number ADXV674, and a Windham Weaponry, Model WW-CF, multiple caliber rifle, serial number CF010411.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

Count Five
Title 18, United States Code, Section 922(g)(1)
Felon in Possession of a Firearm

On or about January 8, 2021, in the Southern District of Alabama, Southern Division, the defendant,

**HARDY DEVAN FORREST,
aka HARDY TOLBERT,
aka CHICO, aka DUDE,**

knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, to-wit: Unlawful Distribution of a Controlled Substance: Cocaine, on September 3, 2015, case number CC 2014-005205, in the Circuit Court for Mobile County,

Alabama; and Unlawful Distribution of a Controlled Substance: Alprazolam, on April 29, 2010, case number CC2009-5124, in the Circuit Court for Mobile County, Alabama; did knowingly possess, in and affecting commerce, a firearm, namely, a Glock, Model 43 9X19 caliber pistol, serial number ADXV674, and a Windham Weaponry, Model WW-CF, multiple caliber rifle, serial number CF010411.

In violation of Title 18, United States Code, Section 922(g)(1).

Counts Six through Eighteen
Possession with Intent to Distribute a Controlled Substance
Title 21, United States Code, Section 841(a)(1)

On or about the below-listed dates, in the Southern District of Alabama, Southern Division, the below-listed defendants did knowingly possess with intent to distribute the below listed controlled substances on or about the below-listed dates:

| COUNT | DATE | DEFENDANT(S) | CONTROLLED SUBSTANCE |
|-------|---------|---|---|
| 6 | 6/11/21 | OTIS SANDERS, JR., and BRYAN DION CAMPBELL | Approximately 122 grams of methamphetamine (actual), a Schedule II controlled substance |
| 7 | 4/11/22 | OTIS SANDERS, JR. | Approximately 141.2 grams of methamphetamine (actual), a Schedule II controlled substance |
| 8 | 5/25/22 | MAURICE DURRELL CARTER, aka OJ | Approximately 32 grams of methamphetamine (actual), a Schedule II controlled substance |
| 9 | 6/28/22 | OTIS SANDERS, JR. and RICHARD DEWISE | Approximately 141.6 grams of methamphetamine (actual), a Schedule II controlled substance |
| 10 | 7/21/22 | OTIS SANDERS, JR., and RICHARD DEWISE | Approximately 232.9 grams of methamphetamine (actual), a Schedule II controlled substance |

| | | | |
|----|---------|---|--|
| 11 | 8/4/22 | MAURICE DURRELL CARTER, aka OJ, and MORRIS WAYNE MYRICK | Approximately 32.79 grams of methamphetamine (actual), a Schedule II controlled substance |
| 12 | 8/25/22 | OTIS SANDERS, JR., RUSTY CHASE SMITH, and ERIC MAURICE MOSELEY | Approximately 8 pounds of methamphetamine (actual), a Schedule II controlled substance |
| 13 | 8/25/22 | OTIS SANDERS, JR., and ERIC MAURICE MOSELEY | Approximately 558.6 grams of methamphetamine (actual), a Schedule II controlled substance |
| 14 | 8/25/22 | OTIS SANDERS, JR., and ERIC MAURICE MOSELEY | Approximately 575.9 grams of cocaine, a Schedule II controlled substance |
| 15 | 8/25/21 | OTIS SANDERS, JR., and ERIC MAURICE MOSELEY | Approximately 226.4 grams of heroin, a Schedule I controlled substance |
| 16 | 1/11/23 | OTIS SANDERS, JR., and CRYSTAL HALI ORR | Approximately 447.1 gram of methamphetamine (actual), a Schedule II controlled substance |
| 17 | 1/17/23 | OTIS SANDERS, JR., MELVIN DONALD KIDD and JEFFERY RYAN CLARK | Approximately 27.275 grams of methamphetamine (actual), a Schedule II controlled substance |
| 18 | 3/20/23 | OTIS SANDERS, JR., and RICHARD DEWISE | Approximately 985.8 grams of methamphetamine (actual), a Schedule II controlled substance |

In violation of Title 21, United States Code, Sections 841(a)(1) and 2.

In **COUNTS SIX, SEVEN, NINE, TEN, TWELVE, THIRTEEN, SIXTEEN, and EIGHTEEN**, the amount of methamphetamine (actual) reasonably attributable to each defendant named in those counts is more than 50 grams; therefore, the defendants named in those counts are subject to the penalty provision of Title 21, United States Code, Section 841(b)(1)(A).

In **COUNTS EIGHT, ELEVEN, and SEVENTEEN** the amount of methamphetamine

(actual) reasonably attributable to each defendant named in those counts is 5 grams or more; therefore, the defendants named in those counts are subject to the penalty provisions of Title 21, United States Code, Section 841(b)(1)(B).

In **COUNT FOURTEEN** the amount of cocaine reasonably attributable to each defendant named in those counts is 500 grams or more; therefore, the defendants named in those counts are subject to the penalty provisions of Title 21, United States Code, Section 841(b)(1)(B).

In **COUNT FIFTEEN**, the amount of heroin reasonably attributable to each defendant named in those counts is 100 grams or more; therefore, the defendants named in those counts are subject to the penalty provisions of Title 21, United States Code, Section 841(b)(1)(B).

Sentencing Allegations
Second and Subsequent Penalties
Title 21, United States Code, Section 841(b)

The defendant **HARDY DEVAN FORREST, aka HARDY TOLBERT, aka CHICO, aka DUDE**, has been previously convicted of a serious drug felony as follows:

- a. On or about September 3, 2015, case number CC 2014-005205, for Unlawful Distribution of a Controlled Substance: Cocaine, in the Circuit Court for Mobile County, Alabama; a Class B Felony under state law; for which the defendant served at least 12 months imprisonment and the defendant's release from such imprisonment was within 15 years of the commencement of the instant offense;
- b. On or about April 29, 2010, case number CC2009-5124, for Unlawful Distribution of a Controlled Substance: Alprazolam, in the Circuit Court for Mobile County, Alabama; a Class B Felony under state law; for which the defendant served at least 12 months imprisonment and the defendant's release from such imprisonment was within 15 years of the commencement of the

instant offense.

c. Therefore, Defendant **HARDY DEVAN FORREST, aka HARDY TOLBERT, aka CHICO, aka DUDE**, is subject to the second and subsequent penalty provision of Title 21, United States Code, Section 841(b)(1)(A), (B) and (C) upon conviction for any of the offenses alleged in Counts One, Two and Three of this Indictment.

Forfeiture Notice
Criminal Forfeiture
Title 21, United States Code, Section 853

The allegations contained in Counts One through Three and Counts Six through Eighteen of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853 and Title 28, United States Code, Section 2461(c).

Upon conviction of the offenses in violation of Title 21, United States Code, Sections 846 and 841(a)(1), set forth in Counts One through Three and Counts Six through Eighteen of this Indictment, the defendants,

OTIS SANDERS, JR.,
aka "O",
DANTE EDGAR FLORES,
aka BUENO,
MARKELL DURRELL MOORE,
ZIKEYOUS ANTHONY NELSON,
CRYSTAL HALI ORR,
MAURICE DURRELL CARTER,
aka OJ,
QUENTON JAMES FRANKLIN,
HARDY DEVAN FORREST,
aka HARDY TOLBERT,
aka CHICO, aka DUDE,
RUSTY CHASE SMITH,
ERIC MAURICE MOSELEY,
MELVIN DONALD KIDD,
JEFFREY RYAN CLARK,

**MORRIS WAYNE MYRICK,
RICHARD DEWISE,
JASON DUANE REYNOLDS,
aka J ROCK, and
BRYAN DION CAMPBELL,**

shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property, used or intended to be used in any manner or part to commit or to facilitate the commission of such offense or offenses.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

All pursuant to Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461(c).

A TRUE BILL.

FOREMAN UNITED STATES GRAND JURY
SOUTHERN DISTRICT OF ALABAMA

SEAN P. COSTELLO
UNITED STATES ATTORNEY

By: 

GLORIA A. BEDWELL
Assistant United States Attorney

SEAN P. COSTELLO

Chief, Criminal Division

MAY 2023

Sean P. Costello by Karen Heisterhager